

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

FREDERICK F. MUZYKA,

Plaintiff,

-vs-

UNITED PARCEL SERVICE and  
TEAMSTERS LOCAL UNION 243,

Defendants.

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CIVIL NO. 06-CV-13611

PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

VIRGINIA M. MORGAN  
UNITED STATES MAGISTRATE JUDGE

**ORDER**

**(1) ACCEPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION;  
AND (2) GRANTING DEFENDANT UPS'S MOTION FOR SUMMARY JUDGMENT**

Before the Court is the Magistrate Judge's June 7, 2007 Report and Recommendation granting Defendant UPS's Motion for Summary Judgment. Neither party has filed timely objections under 28 U.S.C. § 636(b)(1) and E.D. Mich. L. R. 72.1(d). Having reviewed the Magistrate Judge's conclusions of fact and discussion of law, the Court hereby:

- (1) **ACCEPTS** the Magistrate Judge's Report and Recommendation (Doc. No. 20); and
- (2) **GRANTS** Defendant's Motion for Summary Judgment. (Doc. No. 14).

**SO ORDERED.**

s/Paul D. Borman  
PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated: June 29, 2007

# CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on June 29, 2007.

s/Denise Goodine

Case Manager